

Local Education Agency (LEA)
Ad Hoc Workgroup
May 4, 2005 Meeting Summary

Location: Sacramento City Unified School District

ATTENDEES:

Name	Organization/Title
1. Pam Wagner	Los Angeles Unified School District (LAUSD), Co-Chair
2. Laura Baynham	Mendocino County Office of Education (COE), Co-Chair
3. David Bass	DHS, Medi-Cal Benefits Branch
4. Barbara Schultz	DHS, Medi-Cal Benefits Branch
5. John DiCecco	LAUSD
6. Cathy Bennett	Sacramento City Unified School District (USD)
7. Susan Bier	Konocti USD
8. Susan Hamblin	Stanislaus COE
9. Greg Englar	Sonoma COE
10. Rudolf Ramirez	Fresno USD
11. Judy Holzapfel	Glenn COE
12. Robert Powell	California Speech and Hearing Association
13. Kevin Harris	Navigant Consulting, Inc. (via phone)
14. Bisim Lee	Navigant Consulting, Inc.
15. Marna Hammer	Navigant Consulting, Inc.
16. Gloria Eng	Navigant Consulting, Inc.
17. Marlana Evans	Navigant Consulting, Inc.

Handouts

Each participant received a folder with copies of the following: Agenda, Draft Medi-Cal Cost and Reimbursement Comparison Schedule and Instructions, Provider Manual Follow-up Points, LEA Medi-Cal Rate Study Hourly Cost Distributions, March 2005 Meeting Summary, Senate Bill 231 Implementation Project Status Reports (January-March 2005), and Navigant Consulting's PowerPoint Presentation.

In addition, the following items were passed out by other attendees: draft examples of prescription and referral forms, nursing laws and regulations, and a redacted example denial notice from an Other Health Coverage carrier.

Purpose

The meeting was convened by DHS in partnership with LAUSD. The purpose of the Workgroup is to improve the LEA Program. The emphasis of the meeting is to strategize various goals and activities aimed at enhancing Medi-Cal services provided on school sites and access by students to these services, while increasing federal reimbursement to LEAs for the cost of providing these services.

Local Education Agency (LEA)
Ad Hoc Workgroup
May 4, 2005 Meeting Summary

Full-Time Equivalent Job Posting

Based on discussions with the Workgroup and DHS, Navigant Consulting has prepared a job description to hire a program administrator or clinician with school-based health service experience to work on SB-231 activities. The job description has been posted on recruiting "boards" and screenings for potential job applicants will take place.

Action:

What: Hire a full-time equivalent position for SB-231.

Who: Navigant Consulting

When: ASAP

SPA 03-024 Implementation Update

SPA 03-024 was approved in March 2005. Since then, DHS and Navigant Consulting have been working closely with Payment Systems Division (PSD) and EDS to implement SPA 03-024. Implementation is contingent upon the conversion of existing local codes to new national, HIPAA-compliant codes. EDS will have their implementation team fully staffed and begin working on the project on July 1, 2005. The estimated implementation date is between November 1 and December 1, 2005.

Action:

What: Finalize utilization controls for PSD and EDS.

Who: Navigant Consulting and DHS

When: Friday, May 6, 2005

Speech-Language Equivalency SPA

DHS submitted the Speech-Language Equivalency SPA to Legal for review. Legal had concerns regarding the consistency of practitioner titles in the SPA and State regulations. Currently, the SPA is back at Legal for review before being submitted to Centers for Medicare and Medicaid Services (CMS). Upon CMS approval, SPA implementation is contingent on changing State regulations first. DHS cannot prepare an emergency regulations package for this regulation change. In order to submit emergency regulations, they must be deemed necessary for the immediate preservation of public peace, health and safety, or general welfare. The Workgroup recommended a trailer bill be added in the current legislative session, which would expedite changes to Welfare and Institutions (W&I) Code, Section 14132.06.

Action:

What: Prepare language to be added to W&I Code, Section 14132.06 to modify the supervision requirements of a credentialed speech-language pathologist with a clinical or rehabilitative services credential.

Who: Pam Wagner

When: ASAP

Local Education Agency (LEA)
Ad Hoc Workgroup
May 4, 2005 Meeting Summary

Aid Codes

Information Technology Services Division (ITSD) added all eligible LEA aid codes to the MEDS File, per DHS' request. ITSD also added the 14-digit Beneficiary Identification Card (BIC) number to the new LEA Data Match record layout. EDS will require the BIC number on all future claims. Both of these additions will be effective June 1, 2005.

Free Care Policy

LAUSD, on the behalf of the Workgroup, sent a letter to the Attorney General requesting a formal opinion regarding the free care policy in light of the Oklahoma decision. According to Stan Rosenstein, a written opinion from the Attorney General is not legally binding and does not change DHS policy on free care. Free care requirements are still applicable to LEA providers. DHS is drafting a letter to request that the free care policy be discontinued in California based on the Oklahoma decision. This would allow LEA providers to bill for free care services. DHS will request a 60-day response from CMS.

Action:

What: Prepare and send a letter to CMS requesting that the free care policy be discontinued.

Who: DHS

When: ASAP

Other Health Coverage (OHC)

LAUSD conducted a survey, sampling eighteen LEAs, to determine the time spent and cost incurred by LEAs to collect OHC information and bill for claims. Of the eighteen LEAs, three did not attempt to collect any OHC information due to the administrative burden involved in this effort. Of the fifteen LEAs that did attempt to collect this information and bill OHCs, none of the providers received any reimbursement for school-based services.

Action:

What: Collect OHC documentation of denials for school-based services and provide documentation to DHS.

Who: Workgroup

When: Not Specified

Action:

What: Provide time and cost estimates of the administrative burden of conducting the insurance carrier survey.

Who: Navigant Consulting

When: Not Specified

Local Education Agency (LEA)
Ad Hoc Workgroup
May 4, 2005 Meeting Summary

Provider Manual Revisions

Navigant Consulting described the revisions incorporated into the provider manual after DHS and the Workgroup reviewed “loc edu”. Revisions included modifying licensed and credentialed practitioner’s titles to be consistent with State regulations, reorganizing the practitioners and their qualifications by disciplines, updating the free care and OHC language to reflect the June 2004 provider letter, and clarifying activities included in IEP/IFSP assessments. Credentialed speech-language pathologist qualifications will reflect current supervision requirements until CMS approves the Speech-Language Equivalency SPA and State regulations are changed.

Action:

What: Review each practitioner’s scope of practice to determine which practitioners are qualified to provide Health Education/Anticipatory Guidance and Targeted Case Management services.

Who: DHS and Navigant Consulting

When: Not Specified

Action:

What: Verify the date that CMS approved the California Commission on Teacher Credentialing (CTC) speech-language equivalency and e-mail the date to the Workgroup.

Who: DHS

When: August Workgroup Meeting

Cost and Reimbursement Comparison Schedule

Instructions for the Cost and Reimbursement Comparison Schedule (CRCS) have been drafted. Navigant Consulting will be conducting three or four site visits (an urban and rural LEA, a COE, and possibly a collaborative). The objective of these site visits is to test the CRCS instructions and schedules and help prepare training material to be used as practical examples during training. Final revisions to the CRCS instructions and schedules will be completed after the site visits and eventually will be submitted to CMS. A two-day training will occur in the fall, and will include both SPA 03-024 implementation training and CRCS training sessions, as requested by the Workgroup. Rebilling will be addressed separately from the CRCS training.

Action:

What: Review CRCS instructions and schedules and provide comments or feedback to DHS and Navigant Consulting.

Who: Workgroup

When: Within two weeks

Local Education Agency (LEA)
Ad Hoc Workgroup
May 4, 2005 Meeting Summary

Action:

What: Research the issues surrounding the CRCS for collaboratives and send clarification to the Workgroup.

Who: Navigant Consulting

When: Not Specified

Re-billing

DHS has discussed the potential re-billing alternatives with CMS. Re-billing can be claimed back to the SPA 03-024 effective date, April 1, 2003. Any re-billing alternative will involve: (1) the use of interim reimbursement rates, and (2) the completion of a CRCS for each fiscal year in which interim rates are paid. Based on discussions with CMS, it is unnecessary for LEAs to submit replacement claims (e.g., Claims Inquiry Forms). CMS will allow DHS to determine an average rate change for each LEA service billed under existing codes based on data from claims paid at the new rates. Providers may select the services they re-bill based on services that meet SPA 03-024 requirements and can be adequately documented. The re-billing methodology will need to be submitted and reviewed by CMS.

Action:

What: Check to see if SPA 03-024 can be used to support claims submission before actual implementation occurs (i.e., Must group therapy sessions meet the 90 minute minimum under the current SPA, or can SPA 03-024 be used to allow billing for group therapy under the lesser time frame required in SPA 03-024, facilitating rebilling of these claims?)

Who: DHS

When: Not Specified

Prescriptions, Referrals and Recommendations

According to CMS, prescriptions, referrals, and recommendations must be written and establish medical necessity. DHS has prepared draft examples to document prescriptions and referrals for assessments. Documentation for treatment services requiring prescriptions, referrals, or recommendations will be documented in the student's IEP or IFSP. DHS continues to work on changing State regulation language related to practitioners who can prescribe, refer or recommend services. DHS cannot submit an emergency regulations package for this regulation change. In order to submit emergency regulations, they must be deemed necessary for the immediate preservation of public peace, health and safety, or general welfare. The Workgroup recommended changes to State statutes be added as a trailer bill in the current legislative session to expedite the addition of qualified practitioners who can prescribe, refer or recommend services.

Local Education Agency (LEA)
Ad Hoc Workgroup
May 4, 2005 Meeting Summary

Action:

What: Provide DHS with the complete Physician Based Standards used by LEAs.

Who: Workgroup

When: Not Specified

Action:

What: Prepare language to be added to W&I Code, Section 14132.06 to expand practitioners who can prescribe, refer or recommend services.

Who: Pam Wagner

When: Not Specified

Transportation

Navigant Consulting reviewed providers' FY 2002-2003 Severely Handicapped/ Orthopedically Handicapped (SH/OH) cost per day from the Annual Report of Pupil Transportation (J-141). Based on the results, the SH/OH cost per day is less than the existing round-trip reimbursement rate for a majority of the providers billing transportation; similar results were found during the six transportation site visits completed in January 2005. Transportation alternatives were presented to the Workgroup: (1) expand services, requiring a transportation cost survey and SPA, or (2) modify State regulations and LEA provider manual to allow LEAs to bill for students that are not seated in wheelchairs while being transported in wheelchair vans, which will maintain the existing reimbursement rates. Regardless of the alternative, Federal regulations require that transportation costs must be reconciled in the CRCS. The Workgroup requested DHS pursue State regulation changes to allow LEAs to bill for students transported that are not seated in wheelchairs while being transported in wheelchair vans, assuming medical necessity criteria are met.

Action:

What: Prepare language to change State regulations and provider manual that allows LEAs to bill for students that are not seated in wheelchairs while being transported in wheelchair vans.

Who: DHS

When: Not Specified

Future SPAs

Navigant Consulting presented potential future SPAs that could be completed with minimal additional research. These included adding personal care services, adopting a current Medi-Cal fee schedule rate for dietician assessments, and expanding vision assessments. Other high priority services that were noted by the Workgroup included adding behavioral and mental health services and physical, occupational, and speech therapy assistants. At the request of the Workgroup, one comprehensive SPA should be developed to encompass all additional services to the LEA Program. The workgroup

Local Education Agency (LEA)
Ad Hoc Workgroup
May 4, 2005 Meeting Summary

feels this will reduce CMS' scrutiny of the overall program every time a SPA is submitted. The Workgroup requested the continuation of work and research on additional services to be incorporated in the future comprehensive SPA.

Action:

What: Research all other services to be incorporated in a comprehensive LEA SPA.

Who: DHS and Navigant Consulting

When: Not Specified

Future Workgroup Meetings

The next Workgroup meeting for providers only is scheduled for June 8th. The Workgroup invited DHS and Navigant Consulting to attend. The next LEA Ad Hoc Workgroup meeting is scheduled for August 3, 2005.